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FISCAL IMPACT REPORT

ORIGINAL DATE 2/12/07

SPONSOR Chasey LAST UPDATED _____ HJM 37

SHORT TITLE Correctional Facility Independent Oversight SB _____

ANALYST Peery-Galon

APPROPRIATION (dollars in thousands)

Appropriation		Recurring or Non-Rec	Fund Affected
FY07	FY08		
	NFI		

(Parenthesis () Indicate Expenditure Decreases)

SOURCES OF INFORMATION

LFC Files

Responses Received From

New Mexico Corrections Department (NMCD)

New Mexico Sentencing Commission (NMSC)

No Response Received From

Attorney General's Office

SUMMARY

Synopsis of Bill

House Joint Memorial 37 requests the attorney general to appoint and chair a task force to study the feasibility and effectiveness of forming an independent entity that would oversee the status and conditions of New Mexico's correctional facilities, and if the task force finds that it would be feasible and effective to form an independent entity that it specify the composition and nature of the entity regarding expertise, and the areas and methods of oversight. The taskforce is to report its findings to the appropriate interim committee no later than November 2008.

SIGNIFICANT ISSUES

NMCD state the Joint Memorial "appears to make a number of erroneous, unsupported or misleading findings or assumptions about New Mexico prisons." NMCD reports the department has nothing to hide and will cooperate fully with any independent oversight entity created as a result of the proposed Joint Memorial.

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NMCD states the department is already reviewed by a variety of entities and laws. NMCD reports the department makes regular presentations to the interim Courts, Corrections and Justice Committee. NMCD notes the department also regularly provides information to the Legislative Finance Committee, Correction Population Control Commission and other committees on its operations and performance. NMCD reports the department is subject to the Inspection of Public Records Act and regularly provides requested information to the press and members of the public.

OTHER SUBSTANTIVE ISSUES

NMCD states if the proposed Joint Memorial is enacted, the department requests its representatives be able to provide information, ideas and recommendations to the attorney general's task force. NMCD states the department's viewpoints should be considered and evaluated by any task force, just as the task force should consider and evaluate the viewpoints of other groups and individuals.

RPG/mt